

ENTERED

July 18, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

UNITED STATES OF AMERICA,

VS.

ALEX WASHINGTON (1)
CORNELL SIMON (2)

Defendants.

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CRIMINAL ACTION NO. 3:15-CR-24-1,2

ORDER

Pending before the Court is a motion filed by Defendant Cornell Simon (2) for continuance of the trial setting to which Co-Defendant Alex Washington (1) is unopposed. In accordance with 18 U.S.C. § 3161, the basis for the continuance is the finding that the ends of justice served in granting such continuance outweigh the best interests of the public and the Defendant in a speedy trial.

The Court finds that, pursuant to 18 U.S.C. § 3161, a failure to grant continuance in this case would deny counsel for the Defendant the reasonable time necessary for effective preparation taking into account the exercise of due diligence and would thereby result in a miscarriage of justice for the Defendant.

The Defendant recites that there has been inadequate time to sufficiently prepare for trial. Denial of the reasonable time necessary for effective trial preparation is expressly enunciated in 18 U.S.C. § 3161 as a factor in determining that a continuance in the ends of justice would outweigh the public's interest in a speedy trial.

IT IS HEREBY ORDERED that the Defendant's unopposed motion for continuance (Dkt. 77) is **GRANTED**. A period of excludable delay shall commence from today, July 18, 2016, pursuant to 18 U.S.C. § 3161, and October 24, 2016. It is further ORDERED that the scheduling order is amended as follows:

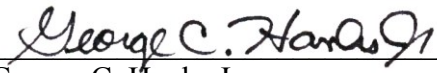
September 12, 2016 All MOTIONS will be filed no later than this date.

September 19, 2016 RESPONSES to motions will be filed no later than this date.

October 13, 2016 PRETRIAL CONFERENCE before Judge George C. Hanks, Jr.
10:00 a.m.

October 24, 2016 JURY SELECTION AND TRIAL.
9:30 a.m.

SIGNED at Galveston, Texas, this 18th day of July, 2016.



George C. Hanks Jr.
United States District Judge